

Message Text

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ACTION EA-09

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E. O. 11652: N/A

TAGS: PINT, RP

SUBJECT: COMELEC CHAIRMAN STATES INA WILL NOT BE SUMMONED

REF: MANILA 9600

1. SUMMARY: COMMISSION ON ELECTIONS CHAIRMAN PEREZ HAS RECOMMENDED AMENDING CONSTITUTION TO ELIMINATE INTERIM NATIONAL ASSEMBLY AND REPLACING IT WITH NATIONAL LEGISLATIVE ADVISORY COUNCIL (SANGGUNIANG PAMBANSA). TO AVOID SUMMONING INA TO AMEND CONSTITUTION (AS CONSTITUTION REQUIRES), PEREZ PROPOSES ELECTIONS FOR LEGISLATIVE ADVISORY COUNCIL IN WHICH CANDIDATES WOULD ALSO BE DESIGNATED MEMBERS OF CONSTITUTIONAL CONVENTION. PEREZ CONTENDED HE SPOKE PERSONALLY. HIS SPEECH, HOWEVER, WAS GIVEN FRONT PAGE COVERATE IN GUIDED PRESS JULY 19 AND MAY REFLECT PRESIDENT MARCOS' CURRENT THINKING ON HOW TO CREATE A RUBBER STAMP LEGISLATURE WHILE ELIMINATING THE INA. END SUMMARY.

2. COMMISSION ON ELECTIONS (COMELEC) CHAIRMAN LEONARDO B. PEREZ TOLD BAGUIO AUDIENCE JULY 17 THAT THE INTERIM NATIONAL ASSEMBLY (INA) "MAY NOT AT ALL BE ACTIVATED FROM ITS STATE OF SUSPENDED AMINATION." HE STATED FLATLY THAT THOSE WHO ADVOCATE THE EARLY CONVENING OF THE INA (HE CITED FORMER PRESIDENT MACAPAGAL, FORMER SPEAKER VILLAREAL AND CIVIL LIBERTIES UNION) SHOULD ACCEPT FACT THAT ASSEMBLY "HAD BETTER BE FORGOTTEN" AND THAT

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THERE SHOULD BE SEARCH FOR "OTHER OPTIONS AND/OR

ALTERNATIVES" WHICH WILL BE LOOKED UPON WITH FAVOR
BY THE BARANGAYS.

3. PEREZ LISTED REASONS WHY INA SHOULD NOT BE
CONVENED INCLUDING: (A) POPULAR OPPOSITION AS EXPRESSED
IN JANUARY 1973 REFERENDUM; (B) NATIONAL SANGGUNIANG
BAYAN ASSOCIATION'S OPPOSITION AS EXPRESSED IN JANUARY
1976 MEETING (SEE MANILA 1172); (C) OPPOSITION OF
PROSPECTIVE MEMBERS (FORMER CONGRESSMEN, SENATORS,
AND CONCON DELEGATES) TO CONVENING INA; (D) SUPREME
COURT DECISION (AQUINO VERSUS COMELEC) SUSTAINING
PRESIDENT'S EXERCISE OF LEGISLATIVE POWER; (E) PRESIDENT
MARCOS' OWN STATEMENT INA SHOULD ONLY BE CONVENED AFTER
LIFTING OF MARTIAL LAW.

4. PEREZ ADMITTED THAT SANGGUNIANG PAMBANSA COULD
NOT TAKE PLACE OF INA SINCE INA "MAY NOT BE REPLACED
BY ANY OTHER BODY UNLESS THE CONSTITUTION IS FIRST
AMENDED TO THIS EFFECT." HE THEN SUGGESTED VARIOUS
WAYS THIS COULD BE ACCOMPLISHED WITHOUT SUMMONING INA.
PEREZ' PREFERRED SOLUTION IS TO HAVE MARCOS DECREE
NATIONAL REFERENDUM AND SUBMIT FOLLOWING QUESTIONS TO
BARANGAYS FOR RESOLUTION: (A) WHO AMONG THE FOLLOWING
CANDIDATES DO YOU CHOOSE TO REPRESENT YOUR REGION IN
THE SANGGUNIANG PAMBANSA? (B) DO YOU FAVOR THE CALLING
OF A CONSTITUTIONAL CONVENTION TO PROPOSE AMENDMENTS
TO THE CONSTITUTION? (C) IF YOU FAVOR A CONVENTION, DO
YOU AGREE TO GIVE THE SANGGUNIANG PAMBANSA THE SAME
POWERS AND STATUS OF SUCH A CONVENTION (OR DO YOU AGREE
THAT THE ELECTED MEMBERS SHALL BE THE DELEGATES TO SUCH
A CONVENTION?)

5. PEREZ' SPEECH WAS LEAD STORY IN "BULLETIN TODAY" AND
"DAILY EXPRESS." "BULLETIN TODAY" RAN STORY UNDER HEAD-
LINE: "HINT NATIONAL ASSEMBLY MAY NOT BE CALLED."
"DAILY EXPRESS" WAS MORE POSITIVE: "PEREZ SAYS ASSEMBLY
WON'T BE CALLED." "TIMES JOURNAL'S" FRONT PAGE
ACCOUNT WAS HEADLINED: "NEW LEGISLATIVE ASSEMBLY PROPOSED."

6. COMMENT: PEREZ' LATEST STATEMENT ON ELECTIONS FOR
LEGISLATIVE ADVISORY COUNCIL TRACKS WITH HIS PREVIOUS
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STATEMENTS (SEE MANILA 9600). WHAT IS NEW IS HIS
ADMISSION CONSTITUTION MUST BE AMENDED IF LEGISLATIVE ADVISORY
COUNCIL IS TO SUPPLANT INA. WE CONTINUE TO BELIEVE THAT ANY
ELECTION FOR MEMBERS OF SANGGUNIANG PAMBANSA WILL HAVE TO
BE VERY CAREFULLY "SUPERVISED". THIS WILL ESPECIALLY BE TRUE
IF ELECTION IS ALSO REFERENDUM ON WHETHER CONSTITUTION IS TO BE
AMENDED BY ELIMINATING INA. CONCEIVABLY, SOME POLITICOS
(ESPECIALLY THOSE WHO HOPED TO SERVE IN INA) MIGHT BE

GALVANIZED INTO ACTIVELY OPPOSING ELECTION AND REFERENDUM.
REGIME APPEARS WELL AWARE OF THIS POSSIBILITY. PEREZ'
PHRASING OF REFERENDUM QUESTION SUGGESTS VOTERS WILL
VOTE FOR LIST OF NAMES APPEARING ON BALLOT. PRESUMABLY,
REGIME WILL TAKE CARE TO ENSURE THAT MOST OF THESE
NAMES, EXCEPT PERHAPS FOR SOME TOKEN OPPOSITIONISTS,
ARE THOSE OF MARCOS LOYALISTS. PREPARING FOR AN
ELECTION/REFERENDUM OF THE TYPE PEREZ PROPOSES WILL
REQUIRE TIME AND CONSIDERABLE EFFORT. MARCOS AND HIS
LOCAL GOVERNMENT SPECIALISTS MAY BE TEMPTED TO RUSH
THINGS PERHAPS IN ORDER TO HAVE SANGGUNIANG PAMBANSA
IN PLACE PRIOR TO MARTIAL LAW DAY (SEPTEMBER 21). HASTE,
HOWEVER, MAY ENHANCE POSSIBILITY OF SOMETHING GOING
WRONG AS WELL AS DETRACT FROM EXERCISE'S CREDIBILITY.
PEREZ SPEECH BEING POUCHED EA/PHL.
SULLIVAN

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